HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27284 of 2006

Dated:02.01.2007

Between:

Mamidala Mangadevi and others.

…Petitioner

and

District Collector and others.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27284 of 2006

ORDER:

The four petitioners or their predecessors were allegedly assigned land admeasuring Ac.0.75 cents each in Survey Nos.186/1 to 4 situated at Thimmapuram Village of Kakinada Rural Mandal in East Godavari District, in 1978. They allege that on 26.12.2006, the third respondent made attempts to dispossess them by use of force. Therefore, they filed the present Writ Petition seeking a mandamus to the respondents not to evict them without due process of law or without following the procedure under Section 14(5) of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short 'the Act').

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (General-A) obtained instructions. While denying the allegation that the third respondent tried to dispossess them, the learned Assistant Government Pleader submits that the petitioners transferred the land assigned to them to third parties and action is being initiated in accordance with law.

In view of this, the Writ Petition is disposed of observing that unless and until the petitioners are dispossessed in accordance with the provisions of Section 14 of the Act or in accordance with the

provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, the petitioners' right to enjoy the land cannot be disturbed. No costs.

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(V.V.S.RAO, J)

02.01.2007

Note: Issue C.C in ten days.

B/o.

vs